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Arizona Corporation Commission

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Attorneys for Freeport-McMoRan Copper & Gold Inc.  
and Arizonans for Electric Choice and Competition

**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF TUCSON ELECTRIC POWER  
COMPANY FOR APPROVAL OF ITS  
REQUEST FOR ADDITIONAL FUNDING  
FOR ITS SMALL BUSINESS PROGRAM.

DOCKET No. E-01933A-07-0401

**COMMENTS OF FREEPORT-  
MCMORAN COPPER & GOLD INC.  
AND ARIZONANS FOR ELECTRIC  
CHOICE AND COMPETITION**

Freeport-McMoRan Copper & Gold, Inc. and Arizonans for Electric Choice and Competition (hereafter collectively "AECC") submits these Comments in the above-captioned matter. AECC supports the recommendations of Commission Staff to limit the amount spent on an Implementation Contractor ("IC") to no more than twenty-five percent (25%) of Tucson Electric Power Company's ("TEP") overall Small Business Program budget. As customers who help fund this program, it is disconcerting for AECC to learn that TEP's implementation costs for energy efficiency programs range anywhere between 15% and 85%, or greater.<sup>1</sup> Ironically, it appears that some of TEP's energy efficiency programs are not "administratively" efficient and cost more to implement than what is being spent on the energy efficient products themselves.

TEP argues that the company should be given flexibility to manage a budget to

<sup>1</sup> TEP Exceptions at 2. AECC believes that the Commission should consider placing a cap on the implementation costs for all such programs so that the funds are put to efficient use.

1 achieve established goals in a "cost effective" manner. However, AECC submits that if  
2 any program cannot be implemented at the 25% cap of total costs recommended by Staff,  
3 that program cannot be cost effective.

4 RESPECTFULLY SUBMITTED this 23<sup>rd</sup> day of July, 2010.

5 FENNEMORE CRAIG, P.C.

6  
7 By 

8 C. Webb Crockett  
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10 Attorneys for Freeport-McMoRan Copper  
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11  
12 **ORIGINAL** and 13 copies filed  
this 23<sup>rd</sup> day of July, 2010 with:

13 Docket Control  
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